IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO. 35 OF 2001.

1. Shri Ulhas Shankar Barde,
   of major age, businessman.

2. Smt. Urmila Ulhas Bardez,
   of major age, housewife,
   both residing at Khorlim,
   Mapusa, Bardez, Goa. ... Petitioners.

VERSUS

1. Shri Harishchandra S. Barde,
   of major age, Service.

2. Smt. Jaya Harishchandra Barde,
   of major age, Service,
   both residing at Khorlim,
   Mapusa, Bardez, Goa. ... Respondents.

Shri Sudin Usgaonkar, Advocate for the Petitioners.

Shri R.S. Parsekar and Shri R. Castro, Advocates for the Respondents.

CORAM: V. C. DAGA, J.

DATE: 4TH JULY, 2002.

ORAL JUDGMENT:

Having heard this matter for some time it appears that the main dispute is between the two brothers. Considering the consensus between the parties that the impugned order be maintained and the arrangement made therein should be allowed to be continued for a period of one year, provided directions are issued to the Civil Judge S.D., Mapusa, for early disposal of the Inventory Proceedings, pending before him, wherein the legality of the Will is under

investigation.

2. The request made is reasonable. I see no difficulty in accepting the arrangement made in the impugned order between the parties and allowing it to operate during the pendency of the Inventory Proceedings. I also see no difficulty in issuing direction to the Court before whom Inventory Proceeding is pending.

3. The Civil Judge S.D., Mapusa, is accordingly directed to proceed and decide the said Inventory Proceedings bearing No. 23/1988 as expeditiously as possible, at any rate, within a period of nine months from the date of receipt of the writ of this Court. It is made clear that neither party shall be entitled to claim equities on the basis of the impugned Order and the arrangement made in the impugned order shall continue to operate between the parties without prejudice to their rights.

4. The Civil Revision Application stands disposed of with the above directions with no order as to costs.

(V. C. DAGA)
JUDGE.

sl.